

Application No. 10/692,465
Paper Dated December 7, 2005

In response to USPTO correspondence of 11/10/05
Attorney Docket No. 1940-031320

IFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/692,465 Confirmation No. 7255
Applicants : Brad L. Noll et al.
Filed : October 23, 2003
Title : DOUBLE CHECK VALVE ASSEMBLY
Group Art Unit : 3753
Examiner : Ramesh Krishnamurthy
Customer No. : 28289

MAIL STOP AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

ELECTION WITH TRAVERSE

Sir:

This is in response to the Office Action dated November 10, 2005 in which the Examiner has required an election under 35 U.S.C. § 121 to one of the following species of the claimed invention:

Species A - shown in Figs. 1-4 (relating to claims 1-9, 11-20 and 22-32); and

Species B - shown in Figs. 5-7 (relating to claims 1-7, 10-22 and 25-32).

The Examiner has required that Applicants elect a single disclosed species for prosecution on the merits. Applicants hereby elect with traverse Species A, shown in Figs. 1-4, for the reasons set forth below. Claims 1-9, 11-20 and 22-32 are readable on elected Species A. Further, claims 1-7, 11-20 and 25-32 are generic to Species A and B.

Applicants respectfully traverse the Species Election Requirement on the grounds that Species A and B relating to claims 1-32 will not broaden the search obligation. The claims

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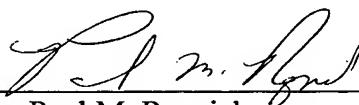
represented by elected Species A (Figs. 1-4) also include the majority of claims readable on Species B (Figs. 5-7). The relatively minor variations in only one component (i.e., the fastening arrangement of the modular cage 32) of Species A and B as shown in the Figs. would not broaden the search obligation and, therefore, would not impose a serious burden on the Examiner. Accordingly, withdrawal of the Species Election Requirement is respectfully requested.

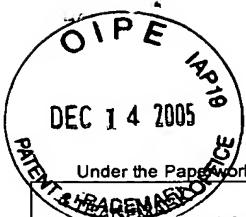
Applicants hereby reserve the right to prosecute non-elected claims 10 and 21 by way of a divisional application filed at a later time. Pursuant to 37 C.F.R. § 1.48(b), there is no change in inventorship as a result of this election.

Respectfully submitted,

THE WEBB LAW FIRM

By


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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/692,465
		Filing Date	October 23, 2003
		First Named Inventor	Brad L. Noll et al.
		Art Unit	3753
		Examiner Name	Ramesh Krishnamurthy
Total Number of Pages in This Submission	3	Attorney Docket Number	1940-031320

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal For FY 2004 <ul style="list-style-type: none"> <input type="checkbox"/> Fee Attached <input type="checkbox"/> Preliminary Amendment <ul style="list-style-type: none"> <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <ul style="list-style-type: none"> <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 	<input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) Election With Traverse and postcard for return receipt
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Paul M. Reznick
Signature	
Date	December 7, 2005

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Helen Gerace		
Signature		Date	December 7, 2005

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